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STATE COMPENSATION INSURANCE FUND,  
8 A Public Enterprise Fund

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15 Attorneys for Defendants  
RICARDO LARA and THE CALIFORNIA  
16 DEPARTMENT OF INSURANCE

17 **UNITED STATES DISTRICT COURT**

18 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

19 STATE COMPENSATION INSURANCE  
20 FUND, a Public Enterprise Fund,

CASE NO. 2:20-CV-01289-JAM-CKD

21 Plaintiff,  
22 vs.  
23 RICARDO LARA in his capacity as  
24 INSURANCE COMMISSIONER OF THE  
25 STATE OF CALIFORNIA; and THE  
26 CALIFORNIA DEPARTMENT OF  
INSURANCE, an Agency of the State of  
California,

27 Defendants.

**SECOND STIPULATION AND ORDER  
TO CONTINUE DEFENDANTS'  
MOTION TO DISMISS**

1 Plaintiff STATE COMPENSATION INSURANCE FUND (“Plaintiff” or “State Fund”),  
2 and Defendants RICARDO LARA in his capacity as INSURANCE COMMISSIONER OF THE  
3 STATE OF CALIFORNIA, and THE CALIFORNIA DEPARTMENT OF INSURANCE, an  
4 Agency of the State of California (“Defendants”)(collectively, the “Parties”), by and through their  
5 respective counsel of record, hereby respectfully apply to this Court for an Order continuing the  
6 hearing on Defendants’ motion to dismiss scheduled on March 9, 2021 at 1:30 p.m. to April 6, 2021  
7 at 1:30 p.m. based on Local Rules 143 and 230(f).

8 WHEREAS, Plaintiff and Defendants conferred to continue the hearing on Defendants’  
9 motion to dismiss from March 9, 2021 to April 6, 2021;

10 WHEREAS, the recent restrictions due to the COVID-19 crises has adversely affected State  
11 Fund’s resources and in office operations;

12 WHEREAS, State Fund and other litigants in actions venued in State Court and  
13 Administrative Tribunals will be participating in a second session mediation on or about March,  
14 2021, which State Fund believes may impact the allegations of its Complaint in this matter and  
15 resolve part or all of those claims;

16 WHEREAS, the parties hereby stipulate to the following briefing schedule, subject to Court  
17 approval:

- 18 1. Plaintiff will serve and timely file its opposition to Defendant’s Motion to Dismiss on  
19 or before March 9, 2021, or 28 days before the hearing on Defendants’ Motion to  
20 Dismiss;
- 21 2. WHEREAS, Defendants will serve and timely file their Reply on or before March 30,  
22 2021, or 7 days before the hearing on Defendant’s Motion to Dismiss;

23  
24 NOW, THEREFORE, IT IS HEREBY STIPULATED, between the Parties, subject to the  
25 Court’s approval, that: the hearing on Defendants’ motion to dismiss be continued from March 9,  
26 2021 to April 6, 2021 at 1:30 p.m. or such other date thereafter convenient to the Court.

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1 **IT IS SO STIPULATED.**

2 DATED: January 28, 2021

STRUMWASSER & WOOCHELLP

4 By: /s/Michael J. Strumwasser  
5 Michael J. Strumwasser  
6 Bryce Gee  
Julia Michel

7 Attorneys for Defendants  
8 RICARDO LARA in his capacity as INSURANCE  
9 COMMISSIONER OF THE STATE OF  
CALIFORNIA; and THE CALIFORNIA  
DEPARTMENT OF INSURANCE, an Agency of  
the State of California

10 DATED: January 29, 2021

NOAH GRAFF  
Assistant Chief Counsel

12 By: /s/R. Timothy O'Connor  
13 R. Timothy O'Connor  
14 John B. de Leon  
15 Attorneys for Plaintiff  
STATE COMPENSATION INSURANCE FUND

17 **ORDER**

18 For good cause shown, the above Stipulation is adopted as follows:

19 The hearing on Defendants' motion to dismiss be continued from March 9, 2021 at 1:30  
20 p.m. to April 6, 2021 at 1:30 p.m.

21 **IT IS SO ORDERED.**

23 DATED: January 29, 2021

/s/ John A. Mendez  
THE HONORABLE JOHN A. MENDEZ  
UNITED STATES DISTRICT COURT JUDGE